

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

December 15, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on December 8, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending December 14, 2011 in the amount of \$ 264,986.06 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of December 8 – December 14, 2011
- Report from the Building Inspector's Office from November 7 – December 12, 2011
- Statement of cash receipts from the Library from November 17 – November 30, 2011
- Statement from the City Clerk's Office of all monies received during the month of November 2011 in the total amount of \$13,105.52
- Finance Department Statement of Revenue and Expenditures for the month of November 2011
- Report from the Parking Violations Bureau for November 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 527,097.09 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Keitha Farney 103 Maryland Rd said I'm the present President of Friends of the Plattsburgh Public Library but I'm speaking as an individual not as a representative of the Friends. I'm a lifetime Library user and supporter. When I was considering a move to Plattsburgh a little over 3 years ago one of the first things I checked out was the Library. Had it not been for providing the level of Library service that I was used to in other areas of New York State I would not have moved here. As a Library patron and more recently as the President of the Friends, I've worked with and come to know Director Stan Ransom and the rest of the staff. I'm also acquainted with some members of the Board. I feel sure that all of these people want the Library to succeed and provide the Library services that the Library patrons and the public have a right to expect. All I know about the communication difficulties between the Board, the Director and staff are what I've read in the paper or heard expressed at the Library Board meeting on Tuesday. I can only hope that these communication problems can be solved. However, I don't think that the community and the Library patrons should have to suffer lack of services because of this failure of communication. \$150,000 is needed to save these services and the jobs of 4 staff members who help provide them. To me as an individual that's a lot of money. I don't pretend to understand all of the financial considerations here, but, in terms of the City budget it doesn't seem to be a lot of money. I have two questions for the Council. The first concerns the 2% property tax cap; I understand there are exemptions to this. So what I would like to know if the actual tax cap for the city more than 2% and what it is. My second question is how much would the average property tax bill increase if the city fully funded the Library so it could maintain the present level of services. I suspect that it's not very much. And I was just struck by the great presentation and how wonderful it would be if we could all have that. And one of the people talking about our cultural institutions and Arts Council and the Strand and just up the street is the Library which is already a wonderful cultural institution which services all.

Amy Bonn 23 Stetson Ave said I'm working with a group of community members who are very concerned about the welfare of what's going on with the Library. A couple of things I'd like to ask the Council to consider. I want to be very clear I'm speaking as a private citizen not on behalf of my business. I think the concerns we have are we're still not sure how this all happened and that's pretty

important. I think the community wants to know. It's the community's money and the community would like clarification on that. And more importantly they want to know how are they going to make it not happen again. What's the guarantee if we put more money in to the situation we're not going to have the same conversation next year. We'd like a plan and we'd like to move forward and we want to help. More importantly we're trying to keep it constructive. We've got a 200 signature petition going around with people who are very very willing to dive in and help out they just want some clarity. And we have deep respect for the amount of time that everyone has put in to this situation. But we can't put more money in to a situation that isn't clear and it's not fair to the public trust to do that until we have some clarity. And we have a lot of people who are willing to help out but let's figure out what happened, figure out how to fix it and then move forward together and you have a lot of public support to do that.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from November 1, 2010 to November 30, 2010 in the total amount of \$1,767.04. The percentage of write-offs for this period is .15%.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2011-24 "Select Cutting of Standing Timber" be awarded to Whites Forest Products in the amount of \$34,000.

By Councilor Case; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves Environmental Manager Jonathan Ruff to attend the "New York Water Environment Association 2012 Annual Meeting" in New York City from February 5 – 8, 2012 at an estimated cost not to exceed \$1,622.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from David Powell Chief Plant Operator WPCP that Contract # 2010-18 “Sodium Thiosulfate for the Water Pollution Control Plant” with Thatcher Chemical Company Inc be extended for one year for a total amount of \$40,500.
2. Request from David Powell Chief Plant Operator WPCP to advertise for sealed bid for Contract #2011-25 “15% Sodium Hypochlorite Trade Solution for Water Pollution Control Plant and Water Filtration Plant.” Bid Opening Date: January 13, 2012 at 11:00 am.
3. Request from David Powell Chief Plant Operator WPCP to advertise for sealed bid for Contract #2011-26 “Liquid Alum for Water Pollution Control Plant.” Bid Opening Date: January 13, 2012 at 11:00 am.
4. Request from the City Chamberlain to create capital project H8130.57 2011 WPCP Plant Improvements Project to complete the work detailed in the Water Pollution Control Plant section of the 2011 Capital Expenditure Budget.
5. Request from Jonathan Ruff Environmental Manager that WPCP Mitigation Project “Aeration improvements and south façade architectural improvements” for the proposed cost of \$75,531 be approved and that the Mayor be authorized to execute all necessary paperwork.
6. Request from the City Chamberlain to create capital project H8320.70 2011 Westbrook Dams 1 & 2 Improvements Project to complete the work detailed in the Water Source of Supply section of the 2011 Capital Expenditure Budget.
7. Request from Jonathan Ruff Environmental Manager that “Westbrook Dams 1 and 2 Repairs” for the total cost of \$202,000 be approved and that the Mayor be authorized to execute all necessary documents.
8. Request from Bill Treacy Manager MLD to award Bid No. 2011-11-1 “Evaluation of Misc. Electrical Materials” total bid award cost of \$56,535.35 to the following bidders: Stuart C Irby \$13,431.85, WESCO \$4,943.50 and Marmon Utility LLC \$38,160.

10. NEW BUSINESS:

Councilor Carpenter said I am glad there are some representatives here from the people talking about the Library. I’ve spent the last year as the liaison there sitting in on the meetings, listening to the problems that

are going on. I listened to the Union, I listened to the Board. We've talked a little bit here at the Council. I've listened to what people had to say. It's sad that it comes to the point where there's a potential of losing 4 jobs especially this time of year. I've spent some time with some people, one of them being Richard Marks, and have come up with a plan that will bring the Library to financial stability and that will save and keep those 4 jobs. As we speak Roland Lockwood, President of the Library Board, is trying to convene an emergency meeting with the Board so that I can present it to them and the Union at the same time. As soon as that happens I will bring the information here back to the Council. I would hope that you representatives of the people would show up also at that meeting it is very important. I have asked that it not be talked about publicly until I have the chance to talk to the Board and the Union and that's what holds me from saying more right now. I believe and most of the people I've talked to believe that it is a viable plan and that it will work and Richard backs me up that the numbers will be there.

Councilor Jackson said I kept my mouth shut last week when I read the article in the paper. The quote was and this is from a Library Union Representative "that most people who have to fill in on Saturday's actually are taking compensatory time instead of overtime so it doesn't really wind up costing the Library that much." That is, to me, plainly false. If you take compensatory time and you take that time off at a future date or a later date someone has to come in and back fill for you. So, to me, it's patently incorrect and the numbers for the last 5 years bear that out. Back in 2007 the overtime at the Library was \$3559. Then it was about \$4800 the next year and \$4000 a year after that which was 2009. When the new contract was ratified that number jumped to \$12,000 and this year its on track to be right around \$10,000. The second comment in the paper that kind of ticked me off was from another union official who basically said "what does he (John Prim) know about running a Library they need to listen to those who have worked there for 30 years and know how to run the Library and who care about the Library. To besmirch John Prim's name to me is just absolutely unacceptable. He's worked hard it's a volunteer board and he's trying to do the right thing to get the Library back on to good solid footing. Some of things that Ms. Bonn, I don't know if she's still here or not, I can tell you part of the reason and how this all happened. It all has to do with the last contract that was negotiated. During the Union negotiations there was a big conversation about pay equity and how the Library employees were not being paid as much as other city employees. So in the course of that negotiation there was a substantial raise over the 5 years. Also, it was requested that the employees contribute 15% toward their health care premiums. The language in the contract is the craziest language I've ever seen in my life because their supposed to contribute 15% but then they were going to be reimbursed with a stipend to cover that premium cost. So there was really no contribution from the employees. So what happened we haven't been collecting any funding towards health insurance costs. There is one employee who got almost a 30% raise. Now going back to this pay equity thing they wanted higher pay but they didn't take in to account benefit equity. The employees of the Library accrue double the sick time that any other AFSCME employee does in the City of Plattsburgh. So when you accrue 24 days of sick time and you take all that time you tend to have overtime expenses. There are some crazy that were negotiated in the last contract. It's unsustainable and your point is absolutely right. You can bail out the Library for 2012 but there's a structural problem with how the Library is set up.

Mayor Kasprzak said I've got some comments that I have been withholding for months and months on the Library. You want some answers, I'm going to give you some answers and you're not going to like to hear the truth. Arriving hear at City Hall 5 years ago, I think that most people know in this community the financial difficulties that we were experiencing. I knew what we needed to do. And I started out meeting with management and unions. It became very clear to me that not everybody was going to cooperate. In the

papers and in the news, on commentaries and on websites people tend to write things that aren't accurate and true but it was always the Mayor's fault because he doesn't want to listen to people and work with people. This week you found out exactly the AFSCME President and Vice President who have, and Chris is right, criticized a very good Board member. A successful business man in this community because they didn't like what he had to say. And quite frankly I have had to deal with these 2 individuals since I've been here and I've told the truth every single time I've dealt with them. They care about themselves; they do not care about the fellow employees at the Library or the AFSCME Union. And what the public doesn't know is we have been at a standstill since spring after negotiating a 2 ½ year contract with the AFSCME leadership that was more than fair. And because the President of the Union, Denise Nephew, would have to contribute 15% to the health care she decided not to bring that contract to the Union. And that is not fair to the people that work on our garbage trucks, and snow plow and dig up water main breaks when its 20 below zero weather because those people are paying something for their healthcare. Here are the real issues. You've had weak management for 4 or 5 years there and that's no disrespect to Stanley Ransom being a good or bad person. You've had decisions that have been made by a Board that's independent not related to this Board that I didn't agree with including the contract that Chris has mentioned. It was very generous. You have a core only, not a lot of those employees are like this, because we have good employees in every department and union in this community. You have a core of Library employees over there that don't cooperate and are selfish and don't care about the hardworking people that are over there. And when you throw in an unaffordable contract that Chris has mentioned, that is why you have a deficit folks. I don't make decisions over there and the Council doesn't make decisions so for us to be inundated recently about giving more money to an enterprise that doesn't watch it the right way is not the way I would govern. Now can't speak for anybody around the table. But that's not the way I can responsibly take care of a majority of the tax payers in this community. We have a long term Library employee, since 1982 she's been there, due to the Union contract language, and she has every right to use her sick leave any way she wants folks, this doesn't include vacation time, personal time, bereavement time, this is just sick days. Since 1982 she's accumulated approximately 636 sick days as of today she has 4 ½ days left on the books. That should indicate to everybody in this room that somebody's not really going to work when they're supposed to go to work. And when she doesn't go to work, as Councilor Jackson alluded to, that means people have to go and work in her place, which means overtime or compensation time so this all adds up over the years. In the 2012 budget, it is projected to have \$155,000 worth of health care costs at the Library and the contribution to the budget in the City of Plattsburgh by the people in the Library is \$936. If you had a deficit in any department or your business and you were paying \$155,000 for health care and your employees are only going to contribute \$936, I don't think you're going to get ahead very fast. I have an email that was sent to me. Here is a long term employee that wrote to the staff there on October 5th. Stanley Ransom was addressing the issues of our employees at the Library for not going to work on Saturday's, which was a contractual obligation. He was at the Board request, working with the Union to do this. Well they weren't going to work on Saturday's, some of them have never worked on Saturday's they call in sick. So this email shared with me is basically from a long term employee over there says if you don't get your Saturday off or the management gives you a hard time about this. Let me read this "if you don't get this time off, please let so and so know ASAP so we can file a grievance on your behalf." So we don't get our way so we are going to grieve and grievance cost money. In a 2 month period at the Library the Union grieved the Library and the Board 15 different times. I've been dealing with this since I've been here. The modus operandi by that particular Union leadership is very simple. We are going to tell the public, the Mayor, Board and Stanley Ransom doesn't listen to us. We listen to you we don't agree with you so what do you do, you grieve. And the Public doesn't know how many tens of thousands of dollars that you are paying and we're paying and in this case this adds to the

deficit as well with the Library. My famous saying when I worked with NYS Parks is “why don’t you just come to work and do your job and go home?” What is difficult about that? No we don’t want to work Saturday’s so we are going to let our colleagues work and pay overtime and I’m going to use my sick days up and all these other days up and then I get to stay home and we have to pay other people to come work for me. That can’t happen at the Library anymore. It has to stop. This was I would do if I was in charge of the Library and its not going to be very popular and that’s fine. If I was the one making the decisions over there, I would forego state aide right now 2012 wouldn’t have any and I’ll tell you why. If you take a look at where state aide was 4 or 5 years ago and it is today and where it is today at the Library it has decreased and it is going to continue to decrease. If anybody thinks that New York State in its present fiscal state is going to give more money to the Libraries across this state you are fooling yourself folks. The City of Plattsburgh isn’t going to receive our municipal aide at the same levels. They are cutting everybody. That’s out of our control. I would not take any more aide, I would go to 40 hours a week and I wouldn’t lay off the 4 people that have been discussed. I would lay off the people that have not been coming to work, that have been rude to the public, and the ones who continue to abuse their sick time. But we can’t do that because they’re the seniority there and unfortunately that is what is wrong with the system. So if there are going to be fiscal changes over there difficult decisions have to be made. And quite frankly if it isn’t personnel and I am opposed to giving \$150,000 to any department right now so it’s not a personal thing against the Library. It’s time to make the difficult decisions at the Library they’re not popular. And by the way for the record, we aren’t gutting the Library. The Library still is open 55 hours a week the services are remaining the same. We’re losing 4 good people that’s the real issue. That’s the real issue that is wrong. We went through an awful period around this table, two of you weren’t here then, when we addressed the Municipal Lighting Department deficit. It was the worst experience I’ve had as a Mayor when we had to reduce the workforce there. It had to be done we were running a deficit. It wasn’t fair to the majority of the people in the community. We couldn’t keep raising electric rates. It wasn’t fair and it wasn’t the right thing to continue. We reduced inventory, we didn’t buy new equipment for a while. We did everything we could not to lay off people and it came down to having to do that. It came down to having to do that and it was unbelievable what we went through and it was worse for the people that lost their jobs. So please don’t go away thinking I don’t have any sympathy for the 4 people that may lose their jobs. I feel awful about it and so does the Council. One thing that is untrue is that the Mayor and Council are responsible for the decisions over there we are not authorized by the Charter to make daily decisions, operating decisions or Union decisions. Three years ago when I warned the community and the Library and the Board with Richard Marks that there was a fiscal crisis coming. There is no reason why they should not have listened to us but they didn’t. I know this is a difficult thing to be dealing with but it needs to be addressed because if you want a Library long term there you had better address the problems now. Because next year the same problem is going to exist if we do nothing or just sit here and throw money at it because this problem, folks, isn’t going to go away. I really hope whatever your plan is works. I hope you are successful because people will be able to keep their jobs and everybody in this room wants people to keep their jobs. There are things behind the scenes with this AFSCME Union leadership that you all don’t know and I’ve told you all the truth and I’ve been dealing with it for 5 years. And Chris is right, when John Prim is attacked by the leadership of the AFSCME Union that it is unacceptable, it’s pathetic and it’s wrong. But don’t think you don’t have support for the Library around this table. We have a lot of challenges in this community and the Library is one of them. But, no disrespect to Library supporters, we also have a responsibility for a lot of other departments as well and those decisions aren’t easy either. I’m hopeful you are going to bring back, whatever news you are going to bring back it will be next week? That’s only fair to the people unfortunately may be affected and I know you know that and it’s time sensitive.

Councilor Carpenter said if they have been able to put together a meeting then it will be announced here next week. It's got to move forward and it's got to move fast.

Mayor Kasprzak said that's only fair to the people that unfortunately may be affected and I know you know that and its time sensitive.

11. CLOSING PUBLIC COMMENTS:

Chad Chase 397 Military Turnpike said wanted to clarify for myself and all the other Library supporters because it is very important that it's not to be talked about the fact that you have a plan. Would the public be invited to that meeting? Thanked the Mayor for the candor and I haven't heard that much detail or passion coming from anybody that asked. Thank you Mr. Carpenter for whatever it is that you are working on that is good news.

Councilor Carpenter said you are welcome to talk about it. I just can't expound on it right now. Yes, it has to be a public meeting.

Mayor Kasprzak said I appreciate you coming back speaking this week and its not easy sometimes getting up here. I know you care about the Library and I know that everyone that comes here cares about the Library and we care more than we're given credit for it's just that we have to make difficult decisions sometimes. But you being here is very much appreciated and anytime you want to talk about anything you're more than welcome to come here.

Amy Bonn 23 Stetson Ave I wanted to say thank you very much what the public's been asking for is some answers.

Mayor Kasprzak said I don't know if you like them.

Amy Bonn 23 Stetson Ave said I don't think we disagree it's just that we didn't have...there's been a lot of silence. There's this quote in the play a Man for All Seasons and it says "your silence is deafening." And that's what the public's been dealing with is this huge silence and we appreciate some feedback. And what I would pose to the Council once this is all sorted out what do you want from the public. The public's on board with saving the Library and getting behind it and being supportive. We want to be constructive in all this and we appreciate the enormous amount of time and effort everybody's put in and just be up front with us and keep the momentum going and let's keep it constructive.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

MEETING ADJOURNED: 6:19 pm